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1ST SESSION

H. RES. 307

Creating a select committee to investigate the effectiveness of the United States' intelligence structure to meet global threats.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mrs. TAUSCHER (for herself, Mr. TAYLOR of Mississippi, Mr. WAXMAN, Mr. SPRATT, Mr. ALLEN, Mr. COOPER, Mr. SKELTON, Mr. FROST, Mr. SCHIFF, and Mr. DOOLEY of California) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Creating a select committee to investigate the effectiveness of the United States' intelligence structure to meet global threats.

1 *Resolved*, That (a) there is hereby created a Select
2 Committee on Iraq Intelligence (hereinafter referred to as
3 the “select committee”), to be composed of 15 Members
4 of the House to be appointed by the Speaker (of whom
5 7 shall be appointed upon the recommendation of the mi-
6 nority leader), one of whom he shall designate as chairman
7 and one of whom he shall designate as vice chairman. Any
8 vacancy occurring in the membership of the select com-
9 mittee shall be filled in the same manner in which the

1 original appointment was made. The select committee may
2 conduct a full and complete investigation and study of
3 United States intelligence relating to Operation in Iraqi
4 Freedom, and make such findings and recommendations
5 to the House as the select committee deems appropriate
6 regarding the following matters:

7 (1)(A) The intelligence the United States had
8 before Operation Iraqi Freedom regarding weapons
9 of mass destruction in Iraq and Iraq's capacity to
10 produce them.

11 (B) A comparison of expectations based on the
12 intelligence before Operation Iraqi Freedom and
13 what was subsequently found in Iraq.

14 (C) The credibility of the United States intel-
15 ligence regarding Iraqi threats to the security of the
16 United States, Europe, and the Middle East.

17 (D) Whether this intelligence supported the
18 claim of an "imminent" threat to the United States
19 and its allies.

20 (E) An identification of the intelligence used to
21 substantiate the claim that Iraq was working with
22 Al-Qaeda terrorists.

23 (F) An identification of the intelligence used to
24 support the claim of Secretary of State Powell in his
25 February presentation to the United Nations that

1 the aluminum tubes Iraq bought were intended to
2 make nuclear bombs.

3 (G) The manner in which the decision was
4 made to strike a building in Baghdad on the first
5 day of Operation Iraqi Freedom where Saddam Hus-
6 sein was suspected to be hiding.

7 (H) The accuracy of the pre-war assessment of
8 the capabilities and threat posed by Saddam Hus-
9 sein's Republican Guard.

10 (I) The credibility of the intelligence regarding
11 the threat of use of chemical and biological weapons
12 against Coalition forces.

13 (J) The effectiveness of the collection, analysis
14 and dissemination to senior administration policy-
15 makers of significant intelligence regarding threats
16 to the United States and to its allies.

17 (2) The performance of the Office of the Om-
18 budsman in the Central Intelligence Agency in ad-
19 dressing potential concerns relating to the matter set
20 forth in paragraph (1).

21 (3) The role and the credibility of intelligence
22 gathered by Iraqi opposition groups working with
23 the United States before Operation Iraqi Freedom.

24 (4) The degree to which intelligence about Iraqi
25 weapons of mass destruction was shared with United

1 Nations weapons inspectors before Operation Iraqi
2 Freedom.

3 (5) The role of the Office of Special Plans in
4 the Department of Defense and whether it com-
5 plimented, competed with, or detracted from the role
6 of other United States intelligence agencies respect-
7 ing the collection and use of intelligence relating to
8 Iraqi weapons of mass destruction.

9 (b) One-third of the members of the select committee
10 shall constitute a quorum for the transaction of business
11 other than the reporting of a matter, which shall require
12 a majority of the select committee to be actually present,
13 except that the select committee may designate a lesser
14 number, but not less than two, as a quorum for the pur-
15 pose of holding hearings to take testimony. The rules of
16 the House shall govern the select committee where not in-
17 consistent with this resolution. The select committee shall
18 adopt additional written rules, which shall be public, to
19 govern its procedures, which shall not be inconsistent with
20 this resolution or the rules of the House. Such rules may
21 govern the conduct of the depositions, interviews, and
22 hearings of the select committee, including the persons
23 present.

24 (c) For the purpose of carrying out this resolution,
25 the select committee may sit and act during the present

1 Congress at any time and place within the United States
2 or elsewhere, whether the House is in session, has re-
3 cessed, or has adjourned and hold such hearings as it con-
4 siderers necessary and to require, by subpoena or otherwise,
5 the attendance and testimony of such witnesses, the fur-
6 nishing of information by interrogatory, and the produc-
7 tion of such books, records, correspondence, memoranda,
8 papers, documents, calendars, recordings, data compila-
9 tions from which information can be obtained, tangible ob-
10 jects, and other things and information of any kind as it
11 deems necessary, including all intelligence materials how-
12 ever classified, White House materials, and materials per-
13 taining to unvouchered expenditures or concerning com-
14 munications interceptions or surveillance; and to obtain
15 evidence in other appropriate countries with the coopera-
16 tion of their governments. Unless otherwise determined by
17 the select committee the chairman, upon consultation with
18 the ranking minority member, or the select committee,
19 shall authorize and issue subpoenas. Subpoenas shall be
20 issued under the seal of the House and attested by the
21 Clerk, and may be served by any persons designated by
22 the chairman or any member. Provisions may be included
23 in the rules and process of the select committee to prevent
24 the disclosure of committee demands for information. The
25 select committee may request investigations, reports, and

1 other assistance from any agency of the executive, legisla-
2 tive, and judicial branches of the Government.

3 (d) The chairman, or in his absence the vice chair-
4 man, or in their absence a member designated by the
5 chairman, shall preside at all meetings and hearings of
6 the select committee. All meetings and hearings of the
7 committee shall be conducted in open session, unless a ma-
8 jority of members of the select committee voting, there
9 being in attendance the requisite number required for the
10 purpose of hearings to take testimony, vote to close a
11 meeting or hearing.

12 (e) The chairman (upon consultation with the rank-
13 ing minority member) may (1) appoint and fix the com-
14 pensation of any staff that the chairman considers nec-
15 essary and fix the compensation of such staff at per
16 annum gross rates that do not exceed the highest rate of
17 basic pay, as in effect from time to time, of Level IV of
18 the Executive Schedule in section 5316 of title V, United
19 States Code, and (2) terminate the employment of any
20 such staff as the chairman considers appropriate. The se-
21 lect committee may reimburse the members of its staff for
22 travel, subsistence, and other necessary expenses incurred
23 by them in the performance of the their functions for the
24 select committee, other than expenses in connection with
25 any meeting of the select committee held in the District

1 of Columbia. Staff of the House, at the direction of their
2 Members, committee chairmen, or the Speaker, as appropriate, and upon request of the select committee, may
3 serve as associate staff to the select committee for designated purposes. Associate staff shall be deemed staff of
4 the select committee to the extent necessary for those designated purposes.

8 (f) Unless otherwise determined by the select committee, the chairman (upon consultation with the ranking
9 minority member) or the select committee may authorize
10 the taking of affidavits and of depositions pursuant to notice or subpoena by a Member or by designated staff,
11 under oath administered by a Member or a person otherwise authorized by law to administer oaths. Deposition
12 and affidavit testimony shall be deemed to have been
13 taken in Washington, DC, before the select committee
14 once filed there with the clerk of the select committee for
15 its use. Unless otherwise directed by the select committee,
16 all depositions, affidavits, and other materials received in
17 the investigation shall be considered nonpublic until received by the select committee, except that all such material shall, unless otherwise directed by the select committee, be available for use by the Members of the select
18 committee in open session.

1 (g) The select committee shall be authorized to re-
2 spond to any judicial or other process, or to make any
3 applications to court, consistent with rule VIII of the
4 Rules of the House.

5 (h) The select committee may submit to standing
6 committees, including the Permanent Select Committee on
7 Intelligence, specific matters within their jurisdiction, and
8 may request that such committees pursue such matters
9 further. Committees pursuing such requested inquiries
10 may, in turn, receive the continuing assistance, consistent
11 with the select committee's own jurisdiction, of the select
12 committee's legal process, personnel, and records. Com-
13 mittees which pursue or have pursued inquiries, during
14 the previous or current Congress, within the subjects of
15 the select committee investigation shall furnish the select
16 committee with copies of all testimony and documents.

17 (i) The select committee shall provide other commit-
18 tees and Members of the House with access to information
19 and proceedings, consistent with clause 11(g)(3) of rule
20 X of the Rules of the House, except that the select com-
21 mittee may direct that particular matters or classes of
22 matter shall not be made available to any person by its
23 members, staff, or others, or may impose any other re-
24 striction. The select committee may require its staff to
25 enter nondisclosure agreements, and its chairman, in con-

1 sultation with the ranking minority member, may require
2 others, such as counsel for witnesses, to do so. The Com-
3 mittee on Standards of Official Conduct may investigate
4 any unauthorized disclosure of such classified information
5 by a Member, officer, or employee of the House or other
6 covered person upon request of the select committee. If,
7 at the conclusion of its investigation, the Committee on
8 Standards of Official Conduct determines that there has
9 been a significant unauthorized disclosure, it shall report
10 its findings to the House and recommend appropriate
11 sanctions for the Member, officer, employee, or other cov-
12 ered person consistent with clause 11(g)(5) of rule X of
13 the Rules of the House and any committee restriction, in-
14 cluding nondisclosure agreements.

15 (j) There shall be paid out of the applicable accounts
16 of the House such sums as may be necessary for the ex-
17 penses of the select committee. Such payments shall be
18 made on vouchers signed by the chairman of the select
19 committee and approved in the manner directed by the
20 Committee on House Administration. Amounts made
21 available under this subsection shall be expended in ac-
22 cordance with regulations prescribed by the Committee on
23 House Administration.

24 (k)(1) The select committee shall submit to the
25 House reports setting forth the final results of its inves-

1 tigation and study, together with such recommendations
2 for legislation or other matters as it deems advisable, as
3 soon as practicable during the present Congress, and in
4 no event later than October 30, 2004, unless the House
5 directs otherwise.

6 (2) The select committee shall cease to exist one
7 month after the filing of its final report.

8 (3) Any report made by the select committee shall
9 be referred to the committee or committees that have ju-
10 risdiction over the subject matter of the report.

11 (4) Upon dissolution of the select committee, the
12 records, files, and materials of the select committee shall
13 be transferred to the Clerk of the House, who may, as
14 directed by the select committee, store records in secure
15 facilities of the intelligence community pursuant to agree-
16 ment retaining control of access by the House.

17 (5) If any equipment is purchased by the select com-
18 mittee, then upon its dissolution, the Chief Administrative
19 Officer shall make such equipment available to Members,
20 Committees, or other entities of the House, under the di-
21 rection of the Committee on House Administration.

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